



City Council Agenda

Council President
Chris Mathys

Council Members

Garry Bredefeld
Mike Briggs, Acting President
Henry Perea

Sal Quintero
Daniel Ronquill
Ken Steitz

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cant Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, DECEMBER 15, 1998

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. (THE AGENDA IS AVAILABLE ON WWW.CI.FRESNO.CA.US)

9:00 A.M. Roll Call

Invocation by Greg McAllister, Fresno Police Department Chaplain

Pledge of Allegiance to the Flag

Proclamation of "Coke Hallowell Day" - Councilmember Ronquillo

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE



Seasons Greetings



WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of December 8, 1998

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:30 A.M. Presentation by representative from Area Agency on Aging regarding Senior Citizen Center - Councilmembers Perea and Quintero

Action Taken:

9:45 A.M. Appearance by representatives from the Sahakian family regarding prior Council action relating to property located at 248-250 Fresno Street - Councilmember Perea

Action Taken:

10:00 A.M. **HEARING** to consider Plan Amendment No. 98-21, and Rezoning Application No. 98-31, filed by Don Pickett, 29 acres, property located on the north side of E. Dakota between N. Peach and N. Willow Avenues within the Palm Lakes Golf Course

Action Taken:

1. BILL - Amending the Fresno Air Terminal Environs Area Specific Plan

Action Taken:

2. RESOLUTION - Amending the McLane Community Plan

Action Taken:

3. BILL - Amending the Official Zone Map from C-P/cz and C-6 zone districts to the M-1 zone district

Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:30 A.M. **HEARING** to consider Rezoning Application No. R-98-38, filed by Dervishian Brothers Development Company, proposing to amend the zone district boundaries from C-1/BA-30/cz to C-1/BA-15 for an approximate .92 acre, property located at the southeast corner of E. Shaw and N. Woodrow Avenues

Action Taken:

1. **BILL** - Amending the Official Zone Map from C-1/BA-30/cz zone district to C-1/BZ-15 zone district

Action Taken:

10:45 A.M. **HEARING** to consider approval of the Behymer/Maple No. 2 Reorganization for the detachment of 90 acres from the Fresno County Fire Protection District and County Service Area No. 7, and annexation of the same territory to the City of Fresno

Action Taken:

1. **RESOLUTION** - Approving the Behymer/Maple No. 2 Reorganization

Action Taken:

11:00 A.M. **HEARING** to consider Rezoning Application No. R-98-029, filed by Roy and Gloria Smilanick, for 13,955 square feet of land, located at 4536 E. Floradora Avenue

Action Taken:

1. **BILL** - Amending the Official Zone Map, to rezone from the R-1 and R-3 zone districts to the M-1 zone district

Action Taken:

11:15 A.M. **HEARING** to consider Rezoning Application No. R-98-035, filed by Central Community Church, for 2.86 acres, property located at 4744 N. Polk Avenue

Action Taken:

1. **BILL** - Amending the Official Zone Map, to rezone from the AE-5 zone district to the R-1 zone district

Action Taken:

2:00 P.M.#1 **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M.#2 **CLOSED SESSION**

A. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

54956.9, Subdivision (a)

1. **Case Name:** Myrna Loran v. City of Fresno, et al.
Action Taken:
2. **Case Name:** Fresno Supreme V. City v. Spano
Action Taken:
3. **Case Name:** Barner v. Leeds (Amicus Curiae)
Action Taken:
4. **Case Name:** Sparks v. City of Fresno, et al.
Action Taken:
5. **Case Name:** Maria T. Rodriguez v. City of Fresno
Action Taken:

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, Subdivision (b)

1. **Claim of State Farm Insurance Co. (Lanice Jeanes)**
Action Taken:

2:30 P.M.(1) CONTINUED HEARING regarding City of Fresno Community Facilities District No. 2, Annexation No. 7

Action Taken:

1. **RESOLUTION** - Annexing territory to Community Facilities District No. 2 and authorizing the levy of a special tax
Action Taken
2. **RESOLUTION** - Calling Special Mailed-Ballot election
Action Taken:
3. **RESOLUTION** - Declaring election results for CFD No. 2, Annexation No. 7
Action Taken:
4. * **BILL** - Levying a special tax for the Property Tax Year 1999-2000 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 7, City of Fresno, California
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:30 P.M.(2) HEARING regarding City of Fresno Community Facilities District No. 2, Annexation No. 9

Action Taken:

1. **RESOLUTION** - Annexing territory to Community Facilities District No. 2 and authorizing the levy of a special tax
Action Taken
2. **RESOLUTION** - Calling Special Mailed-Ballot election
Action Taken:
3. **RESOLUTION** - Declaring election results for CFD No. 2, Annexation No. 9
Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

4. * **BILL** - Levying a special tax for the Property Tax Year 1999-2000 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 9, City of Fresno, California
Action Taken:

3:00 P.M. REGULAR MEETING OF THE REDEVELOPMENT AGENCY

Approve minutes of December 8, 1998

Action Taken:

CONSENT CALENDAR

- A. Consider authorizing the preparation and execution of a consulting agreement relating to project adoption of the proposed Central City Commercial Revitalization Project Area and the proposed Airport Area Revitalization Project Area with the firm of Keyser Marston Associates, Inc.
Action Taken:
- B. Consider authorizing the preparation and execution of a revised consulting agreement relating to project adoption of the proposed Central City Commercial Revitalization Redevelopment Project Area and the proposed Airport Area Revitalization Redevelopment Project area with the firm of Lew Pond Consulting Services
Action Taken:
- C. Report to and receive direction from the Agency Board relative to a Request For Qualifications (RFQ) for potential developers to Master Plan/develop 9.72 acres (sub-area 1 of Ventura/Freeway 41 Study Area) for mixed use commercial developments
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

3:05 P.M. JOINT MEETING WITH THE REDEVELOPMENT AGENCY

GENERAL ADMINISTRATION

- A. Consideration of matters related to the award of a contract for relocation of sewer and water mains for proposed downtown stadium (Bid File 1886-810)
Action Taken:
1. **JOINT RESOLUTION** - Making certain findings pursuant to Health and Safety Code Sections 33421.1 and 33445 of the Community Redevelopment Law regarding the installation or construction of public improvements (sewer and water mains) at Agency expense, in connection with the proposed multipurpose stadium development project in

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

the Central Business District Project Urban Renewal Plan Area (*Agency and Council Action*)
Action Taken:

2. Award a contract for relocation of sewer and water mains for proposed downtown stadium (Bid File 1886-910) (*Agency Action*)
Action Taken:
- B.** Consideration of matters related to the award of a contract for reconstruction of Broadway/ “H” Street, Inyo Street and Tulare Street (Bid File 1887-910)
Action Taken:
1. **JOINT RESOLUTION -** Making certain findings pursuant to Health and Safety Code Sections 33421.1 and 33445 of the Community Redevelopment Law regarding the installation or construction of public improvements (street improvements to Broadway/ “H” Street, Inyo, and Tulare Streets) at Agency expense, in connection with the proposed multipurpose stadium development project in the Central Business District Project Urban Renewal Plan Area (*Agency and Council Action*)
Action Taken:
 2. Award a contract for reconstruction of Broadway/ “H” Street, Inyo and Tulare Streets, (Bid File 1887-910) (*Agency Action*)
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

JOINT MEETING WITH REDEVELOPMENT AGENCY CONTINUED

- C.** Award a contract for demolition of buildings at 1880, 1884, and 1890 Tulare Street (Bid File 1881-902)
Action Taken:
- D.** Consideration of the sale of John Q. Hammons’ interest in the Holiday Inn Centre Plaza Hotel to Uniwell Corporation and John Q. Hammons’ Assignment of All Rights, Title and Interest in contracts with the City of Fresno and the Fresno Redevelopment Agency; and authorize staff to finalize all necessary documents subject to John Q. Hammons meeting certain conditions and requirements
Action Taken:

***ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION**

- E. Consider matters relating to the Southeast Fresno Revitalization Redevelopment Project
(Continue to a special meeting on December 17, 1998, at 1:30 P.M.)
1. **RESOLUTION** - Initiating preparation of a redevelopment plan for the redevelopment of the Southeast Fresno Revitalization Redevelopment Project (*Council action*)
Action Taken:
 2. **RESOLUTION** - Accepting the preliminary plan, directing the preparation of an official plan using tax increment financing for the redevelopment of the Southeast Fresno Revitalization Redevelopment Project Area and authorizing and directing submittal of information to taxing officials and agencies (*Agency action*)
Action Taken:
- F. Consider matters relating to the South Fresno Industrial Revitalization Redevelopment Project
(Continue to a special meeting on December 17, 1998, at 1:30 P.M.)
1. **RESOLUTION** - Initiating preparation of a redevelopment plan for the redevelopment of the South Fresno Industrial Revitalization Redevelopment Project(*Council action*)
Action Taken:
 2. **RESOLUTION** - Accepting the preliminary plan, directing the preparation of an official plan using tax increment financing for the redevelopment of the South Fresno Industrial Revitalization Redevelopment Project Area and authorizing and directing submittal of information to taxing officials and agencies (*Agency action*)
Action Taken:

ADJOURN JOINT MEETING

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

3:10 P.M. REGULAR MEETING OF THE REDEVELOPMENT AGENCY

GENERAL ADMINISTRATION

- A. Adoption of a Reimbursement Resolution to allow for the reimbursement from bond proceeds of Redevelopment project expenditures within Southwest Fresno GNRA, Fruit/Church Redevelopment Project Area Merger No. 2 and Central Area Redevelopment Area Merger No. 1
Action Taken:
1. **RESOLUTION** - Declaring the official intent to reimburse expenditures from the proceeds of tax exempt securities and taking certain other actions
Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

- B. Approve a professional services agreement by and between the Redevelopment Agency and Boyle Engineering for design services of water and sewer relative to the Federal Economic Development Administration Grant for Roeding Industrial Business Park

Action Taken:

ADJOURN AGENCY

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.#1)

1. Authorize Director of Transportation to execute Lease Amendment No. 3 to the Aviation Land and Building Lease and Agreement between the City of Fresno and Skywest Airlines, Inc., at Fresno International Airport

Action Taken:

1A. GENERAL CONSENT CALENDAR CONTINUED

2. Authorize Director of Transportation to execute Lease Amendment No. 1 with Rogers Helicopters, Inc, at Fresno Yosemite International Airport

Action Taken:

3. Approve extension of temporary use permit issued by the City of Fresno to Instituform West, Inc., to occupy premises at the Fresno Chandler Downtown Airport (FCH)

Action Taken:

4. **RESOLUTION** - Placing the Jacob Andreas home, located at 309 "E" Street on the Local Official Register of Historic Resources

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Action Taken:

5. * **RESOLUTION** - 58th amendment to the AAR No. 98-159 to increase appropriations by \$591,700 to fund additional wellhead treatment project costs for pump station 70 at Peach and McKinley and for construction of pump station 308 at Winery and Hillview (*Requires 5 affirmative votes*)

Action Taken:

6. Approve agreement to increase Health and Welfare contributions for members of Police Officers Association/Police Management Unit 9

Action Taken:

- a. * **RESOLUTION** - Approving contributions for Health and Welfare for certain Management and Confidential employees, non-represented employees, and the City Council

Action Taken:

7. **RESOLUTION** - Approving a license agreement with Gusmer Enterprises, Inc. to install a private communications cable in the public right-of-way of "M" Street and Heaton Avenue

Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

8. Adopt Resolutions pertaining to proposed City of Fresno Community Facilities District No. 4 (Tract Nos. 4736, 4781, 4824, 4833 and 4844)

- a. **RESOLUTION** - Of intention to establish Community Facilities District No. 4 (Tract Nos. 4736, 4781, 4824, 4833 and 4844) and to authorize the levy of a special tax within the proposed District

Action Taken

- b. **RESOLUTION** - Of intention to incur a bonded indebtedness in an amount not to exceed \$3,000,000 within proposed Community Facilities District No. 4 (Tract Nos. 4736, 4781, 4824, 4833 and 4844)

Action Taken:

- c. * **RESOLUTION** - Adopting Public Facility Fee Program

Action Taken:

9. **RESOLUTION** - Approving Final Map for Tract No. 4561, a 65-lot single-family residential subdivision on 15 acres, located on the southwest corner of W. Bullard and N. Cornelia Avenues

Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

10. Acceptance of Federal Transit Administration (FTA) Urban Area Formula Grant (Grant No.. CA-90-X892) authorized by 49 USC 5307 and authorization to execute the contract on behalf of the City of Fresno
- a. * **RESOLUTION** - 60th amendment to AAR No. 98-159, appropriating \$4,848,760 of the 1998 Federal Transit Administration (FTA) Urban Area Formula Grant (Grant No. CA-90-X892) and \$256,400 of local match reserves (*Requires 5 affirmative votes*)

Action Taken:

11. * Approve reallocation of Supportive Housing Program and Emergency Shelter Grant Funds from Fresno Recovery Center to Turning Point of Central California, Inc., and authorize the City Manager or his designee to sign the agreement and make minor modifications if needed to accomplish the intent of the Council's actions

Action Taken:

12. **RESOLUTION** - Declaring an urgent necessity for the preservation of life, health, or property, waiving competitive bidding requirements, and authorizing the Public Works Director to contract for the repair of the First Street bridge over the Herndon Canal at Shields Avenue

Action Taken:

- a. * **RESOLUTION** - 62nd amendment to AAR No. 98-159 appropriating \$306,000 for emergency repairs to the First Street Bridge (*Requires 5 affirmative votes*)

Action Taken:

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A.* **BILL** - Amending Section 9-804 of the Fresno Municipal Code relating to public nuisances, by declaring a pay telephone, wherein certain conditions exist, to be a public nuisance

Action Taken:

1. * **BILL** - Amending Section 9-804 of the Fresno Municipal Code relating to public nuisances, by declaring a pay telephone, wherein certain conditions exist, to be a public nuisance (Alt. A deleting items 1, 2, and 3)

Action Taken:

4. **CITY ATTORNEY**

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

5.

CITY COUNCIL

- A. **RESOLUTION** - Designating the Wishon and Broadway bike lane the “Joyce Perry Memorial Bike Route” - Councilmember Perea
Action Taken:
- B. Direct staff to continue standards for new development along Highway 41 corridor, south of Jensen to the southerly City boundary. Monitor and enforce standards including appropriate landscaping and facades which promote pleasing appearance on Freeway corridor. Direct staff to request from County of Fresno a review of all projects along corridor, submitted to the County within the City’s sphere. Recommend to County to enforce same set standards as followed by City of Fresno - Councilmember Ronquillo
Action Taken:

5.

CITY COUNCIL CONTINUED

- C. Determination to hold a public hearing to review the Fresno City Planning Commission’s action on Conditional Use Permit (CUP) Application No. C-98-156 filed by Orange Avenue Disposal, Inc., property located at 10251 North Rice Road, southwest corner of Rice Road and Lanes Road, east of Friant Road - Councilmember Bredefeld
Action Taken:
- D. Establish an open purchase order process for individual Council offices to contract out tree trimming and removal as needed with a vendor to be determined by each office and to be paid out of infrastructure funds - Councilmember Perea

6.

CITY/COUNTY INTERGOVERNMENTAL RELATIONS

***ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION**

7. **UNSCHEDULED ORAL COMMUNICATIONS -** You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Redevelopment Agency Workshop (To be rescheduled)

Dec. 22 - NO MEETING - CHRISTMAS WEEK

Dec. 29 - NO MEETING - NEW YEAR'S WEEK

Jan. 5 - 10:15 A.M. CONTINUED HEARING re: Rezone Appl. No R-98-23 filed by Orange Ave. Disposal

Jan. 5 - 10:30 A.M. CONTINUED HEARING re: Freeway Agreement with the State of California for Route 180, from Chestnut Avenue to Temperance Avenue

Jan. 5 - 10:45 A.M. Discussion regarding 35 acres river bottom park - Council President Mathys

Jan. 5 - 11:00 A.M.(#1) CONTINUED HEARING re: P.A. No. A-98-18, Rezone Appl. No. R-98-30, filed by David Ochoa

Jan. 5 - 11:00 A.M.(#2) HEARING re: Planning Commission's action on Variance Appl. #V-98-24, filed by David Ochoa

Jan. 5 - 2:30 P.M. CONTINUED HEARING re: Multifamily Housing Rev. Bonds-Del Monte Pines Apts.

Jan. 5 - 5:00 P.M. CONTINUED HEARING on Text Amendment No. TA-97-09 proposing changes to the Fresno Municipal Code, Article 2, Chapter 12, relating to advertised structures (billboards)

Jan. 12 - 10:00 A.M. HEARING re: Rezone Application No. 98-33, filed by the Damone Group

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